

ORDINANCE NUMBER 05-09

AN ORDINANCE ANNEXING CERTAIN REAL ESTATE TO THE TOWN OF WESTFIELD, HAMILTON COUNTY, INDIANA

WHEREAS, the Westfield Town Council has the authority to annex lands into the municipality as defined by IC 36-4-3; and

WHEREAS, the Town has an interest in providing an annexation ordinance that will provide for the Westfield resident's public welfare and security, and also an economic development opportunity; and

WHEREAS, the Town is able to provide non-capital public services within one year and capital services within three years as required by statute to the proposed area to be annexed; and

WHEREAS, the proposed land to be annexed described in Exhibit A, excepting Exhibit B and Exhibit C meets the contiguity requirements of IC 36-4-3-1; and

WHEREAS, greater than 50% of the parcel owners of the proposed annexation territory have requested annexation into the Town of Westfield; and

WHEREAS, as a result of this annexation the Town of Westfield will enact an ordinance that establishes an Advisory Board from the newly annexed area comprised of three persons who will serve an advisory role to the current town council until municipal elections are held to fill the newly defined seven council districts; and

WHEREAS, on or before November 8, 2005 the Westfield Town council will redistrict and expand the town council to 7 members to be elected pursuant to Indiana Law during 2006.

WHEREAS, the Westfield Town council will hold council public hearings in addition to Advisory Plan Commission hearings for zoning changes from one general land use classification to a different general land use classification until the comprehensive plan is completed; and

WHEREAS, rezones substantially different from the comprehensive plan must be accompanied with >50% or a minimum of 50 supportive petitions of Washington Township parcel owners within a half mile of the proposed rezone.

NOW THEREFORE BE IT ORDAINED BY THE WESTFIELD TOWN COUNCIL THAT THE OFFICIAL TOWN MAP ADOPTED BY REFERENCE IN SECTION 2-471 OF THE WESTFIELD CODE BY MODIFIED AS FOLLOWS:

Section 1. That the real estate containing approximately 5711 acres and approximately 3302 parcels legally described in Exhibit A, excepting Exhibit B, and excepting Exhibit C hereto, and generally to be known as the "Southwest Washington Township Annexation", generally located west of the existing corporate boundaries on the west side of US 31, south of SR 32, north of 146th street, and east of Little Eagle Creek Avenue is contiguous to the town limits of the Town of Westfield, Indiana and the same is hereby annexed to and declared to be a part of the town of Westfield, Indiana.

THE LEGAL DESCRIPTION OF THIS ANNEXATION IS INCLUDED IN EXHIBIT A, EXCEPT THOSE PARCELS LEGALLY DESCRIBED IN EXHIBIT B AND EXCEPT THOSE PARCELS LEGALLY DESCRIBED IN EXHIBIT C

Section 2. That the real estate legally described in Section 1 is to further include the contiguous public highways and rights of way of the public highways that are adjacent to and inclusive of the legal description identified in Section 1.

The contiguous portions of 146th street and rights-of-way of 146th street **are not included** in this annexation per an Interlocal Agreement between the City of Carmel, The Town of Westfield, and Hamilton County, Indiana dated June 12, 1995 by the Hamilton County Commissioners, and dated April 19, 1995 by the City of Carmel (Board of Public Works) and the Town of Westfield Town Council.

Section 3. The Monon Trail parcels that are adjacent to and contiguous to legally described parcels defined in the annexation in Section 1 are also included in this annexation.

Section 4. That the above described real estate will be assigned to a council district 4.

Section 5. Tax Exemption for Real and Personal Property classified for zoning purposes as agriculture under Westfield's ordinances.

(a). Pursuant to IC 36-4-3-4.1(b)(d)(e), all real property located in the Annexation Territory that is classified for zoning purposes as agriculture under Westfield's ordinance **may** be exempt from all municipal property tax liability under IC 6-1.1.

(b) For property to be exempt from municipal property taxes the following three (3) conditions must all be met.

- 1) Property must be zoned AG-SF1 and included in the annexation
- 2) Property must comply with the definition for inclusion in tax exempt property as defined in the Westfield Zoning Ordinance section 16.04.030 that requires eligible property to be larger than 3 acres in size with agriculture uses on the property.
- 3) Property owners that qualify through items one(1) and two(2) above must consent in writing to the annexation.

(c) The property that qualifies through items 1, 2, and 3 above remain exempt from the municipal property tax liability while the property's zoning classification remains qualified as described above.

(d) The property that qualifies as above can only be re-zoned with the consent of the owner of the parcel(s).

(e) The Town shall be responsible for annually providing sufficient information to the Hamilton County Auditor, the Hamilton County Treasurer, the Hamilton County Assessor and the Washington Township Assessor so as to effectuate the tax exemption authorized in the section.

Section 6. Abatement for Tax Liability under IC 6-1.1 for Municipal Purposes

(a) Pursuant to IC 36-4-3-8.5, the Town may, in its annexation ordinance, abate a portion of the property tax liability under IC 6-1.1 attributable to property taxes levied by the Town for municipal purposes for all property owners in the Annexation Territory.

(b) Except for real property classified for zoning purposes as exempt, the Town hereby abates a portion of the property tax liability under IC 6-1.1 attributable to property taxes levied by the Town for municipal purpose on all real and personal property located in the annexed area as described below.

(1) seventy-five percent (75%) of a taxpayer's liability attributable to property taxes levied by the Town for municipal purposes in the first taxable year for which the annexation is effective;

(2) fifty percent (50%) of a taxpayer's liability attributable to property taxes levied by the Town for municipal purposes in the second taxable year for which the annexation is effective; and

(3) twenty-five percent (25%) of a taxpayer's liability attributable to property taxes levied by the Town for municipal purposes in the third taxable year for which the annexation is effective.

(c) The Town shall be responsible for annually providing sufficient information to the Hamilton County Auditor, the Hamilton County Treasurer, the Hamilton County Assessor and the Washington Township Assessor so as to effectuate the tax abatement authorized in the section.

Section 7.

1. After the effective date of the annexation, the Town (City) of Westfield shall pass no new ordinance, and shall enforce no existing ordinance, with regard to property in the annexation territory that is exempt from property tax pursuant to IC 36-4-3-4.1 and this Ordinance which would restrict the usage of the real estate from any activity associated with:

(A) the production of grain row crops; specialty crops; vegetable or truck farms; fruit orchards; the growing and harvesting of timber or wood products; etc. This includes the operation of farm equipment 24 hours a day if necessary in the fields and on the city roads; application or spraying of typical fertilizers, including manure; application or spraying of typical agricultural herbicides and pesticides; and the on-farm storage of these crops, including the operation of silos, grain augers, and grain dryers; and facilities for the sorting or distribution associated with said agricultural crops;

(B) raising of livestock, including but not limited to sheep, cattle, chickens and turkeys and the breeding, stabling and boarding of horses;

(C) any other activity or use, permitted under Indiana law or under the AG-SF1 zoning classification under Westfield-Washington Township Zoning Ordinance WC § 16.04.030 (B), prior to the annexation, which would not require a change in zoning, including, but not limited to peripheral non-commercial recreational uses and open burning of wood and vegetative material.

2. After the effective date of the annexation, the Town (City) of Westfield shall, as a condition to granting a change of zoning or a variance from existing zoning on Real Estate in the annexation territory, or Real Estate located within two (2) miles of the annexation territory, impose the following conditions:

A. The applicant shall acknowledge that the following uses are permitted in the area surrounding the Real Estate.

(i) the production of grain row crops; specialty crops; vegetable or truck farms; fruit orchards; the growing and harvesting of timber or wood products; etc. This includes the operation of farm equipment 24 hours a day if necessary in the fields and on the city roads; application or spraying of typical fertilizers, including manure; application or spraying of typical agricultural herbicides and pesticides; and the on-farm storage of these crops, including the operation of silos, grain augers, and grain dryers; and facilities for the sorting or distribution associated with said agricultural crops;

(ii) raising of livestock, including but not limited to sheep, cattle chickens and turkeys and the breeding, stabling and boarding of horses;

(iii) any other activity or use, permitted under Indiana law or under the AG-SF1 zoning classification under Westfield-Washington Township Zoning Ordinance WC § 16.04.030 (B), prior to the annexation, which would not require a change in zoning, including, but not limited to peripheral private recreational uses and open burning of wood and vegetative material.

B. The applicant acknowledges and agrees that no agricultural, or peripheral non-commercial recreational use of property in the area surrounding the Real Estate shall be or become a nuisance private or public by any changed conditions in the vicinity, as long as:

(i) the property in the area is used for an agricultural, or common peripheral recreational use, whether such use currently exists, is enlarged or is changed in use in the future to another agricultural, or peripheral non-commercial recreational use;

(ii) the operation is not negligently maintained so as to cause bodily injury to a third party or directly endanger human health;

(iii) applicant further agrees not to object to any such agricultural or peripheral non-commercial recreational use in the area surrounding the Real Estate; and

(iv) the commitments are supplemental to the Indiana Right to Farm Law, as amended, and as such are not subject to the continued effectiveness of such law.

Section 8. The effective date of this annexation shall be March 10, 2006.

Section 9. This ordinance shall be in full force and effect in accordance with Indiana Law, upon its passage by the Town Council, its publication in accordance with law, and upon the passage of any applicable waiting period, all as provided by the laws of the State of Indiana. All ordinances or parts thereof in conflict herewith are hereby repealed.

WESTFIELD TOWN COUNCIL

Ord 05-09
SW Wash Twp Annexation

Exhibit A

Legal Description Southwest Washington Township Annexation Ordinance 05-09

Westfield Annexation Description
April 5, 2005 (Rev. 6/8/05)

A part of the following Sections: 2, 4, 5, 7, 8, 10, 11, 12, 13, 14 and 18, and including all of the following Sections: 3, 9, 15, 16 and 17 all within Township 18 North, Range 3 East of the Second Principle Meridian, all in Washington Township, Hamilton County Indiana, more particularly described as follows:

Beginning at a point on the existing Town Limits, which point is on the South Right of Way line of State Road 32 [the next 63 courses are along the Westerly existing Town Limits of Westfield]; (1) thence South 2500 feet more or less to the North line of Countryside subdivision;

(2) thence West along the North line of Countryside subdivision 68 feet more or less to the Northwest corner of Countryside subdivision;

(3) thence South along the West line of Countryside subdivision 1284 feet more or less to a point (in 169th Street);

(4) thence continuing South along the West line of Countryside subdivision 1331 feet more or less to a corner of Countryside subdivision;

(5) thence West along a North line of Countryside subdivision 1326 feet more or less to a point (in Spring Mill Road);

(6) thence continuing West 1930 feet more or less;

(7) thence South 1322 feet more or less;

(8) thence East 1509 feet more or less;

(9) thence North 508 feet more or less;

(10) thence East 399 feet more or less to the West right of way line of Spring Mill Road;

(11) thence South along said West right of way 1804 feet more or less to a point;

(12) thence Southwesterly 92 feet more or less to the South right of way line of 161st Street;

(13) thence East into said Section 11 and along the South right of way line of 161st Street 1028 feet more or less;

(14) thence North along said south right of way line 25 feet more or less;

(15) thence East along said south right of way line 1267 feet more or less;

- (16) thence North 504 feet more or less;
- (17) thence East 444 feet more or less;
- (18) thence North 840 feet more or less;
- (19) thence East 664 feet more or less;
- (20) thence South 1321 feet more or less to a point in 161st Street;
- (21) thence West 663 feet more or less along 161st Street;
- (22) thence South 2661 feet more or less to the South right of way line of 156th Street
- (23) thence East 1335 feet more or less along the aforesaid South right of way line;
- (24) thence North 2648 feet more or less to the South right of way line of 161st Street;
- (25) thence East along said South right of way 1065 feet more or less;
- (26) thence North 498 feet more or less;
- (27) thence East 268 feet more or less to the East right of way line of Oak Ridge Road;
- (28) thence North along said East right of way line 957 feet more or less to the North line of the Ridgewood subdivision;
- (29) thence East into said Section 12 a distance of 2560 feet more or less to a point in the West right of way of the former Monon Railroad;
- (30) thence North 1197 feet more or less to a point in the right of way of the former Monon Railroad;
- (31) thence East 609 feet more or less to the West right of way line of US Highway 31;
- (32) thence South along said West right of way 2710 feet more or less to a point (at the intersection of 161st Street and US Highway 31);
- (33) thence continuing South along said West right of way 2684 feet more or less to the North right of way line of 156th street (near the intersection of 156th Street and US Highway 31);
- (34) thence West along said North right of way line of 156th Street 670 feet more or less;

- (35) thence North back into said Section 12 a distance of 1306 feet more or less to the Southeast corner of Farr Hills subdivision (Plat Bk. 5, Pg. 8 & 9);
- (36) thence West 1276 feet more or less to the Northwest corner of a Parcel with Tax ID No. of 08-09-12-00-00-021.000;
- (37) thence South along the East line of said Parcel, 1320 feet more or less to the South line of said Section 12 (in 156th Street);
- (38) thence continuing South into said Section 13 a distance of 2487 feet more or less to the South right of way line of Greyhound Pass;
- (39) thence Easterly along said South right of way line following Greyhound Pass's tangents and curves approximately 760 feet more or less to a point;
- (40) thence North 664 feet more or less;
- (41) thence East 535 feet more or less;
- (42) thence North 663 feet more or less;
- (43) thence East 1069 feet more or less to the West right of way line of US Highway 31;
- (44) thence South along said West right of way line 662 feet more or less;
- (45) thence West 697 feet more or less;
- (46) thence South 1141 feet more or less to the Northeasterly right of way line of Greyhound Pass;
- (47) thence Northwesterly along said Northeasterly right of way line 375 feet more or less;
- (48) thence West 932 feet more or less;
- (49) thence South 433 feet more or less to the North line of Beacon Point subdivision (Instrument No. 8909841);
- (50) thence West along said North line and the westerly extension of said North line 572 feet to the West line of a Parcel with Tax ID No. of 08-09-12-00-00-021.000;
- (51) thence North along said West line 819 feet more or less to the south right of way line of Greyhound Pass;
- (52) thence West along said south right of way 70 feet more or less to a point;

(53) thence South 150 feet more or less to a North line of 'Hill and Dales West' subdivision (Instrument No. 9204025);

(54) thence West along said North line 1185 feet more or less to the Northwest corner of said 'Hill and Dales West' subdivision;

(55) thence South along the West line of said 'Hill and Dales West' subdivision 500 feet more or less;

(56) thence West 1337 feet more or less to the West right of way line of Oak Ridge Road;

(57) thence South along said West right of way line of Oak Ridge Road 867 feet more or less;

(58) thence East along said West right of way line of Oak Ridge Road 20 feet more or less;

(59) thence South along said West right of way line of Oak Ridge Road 438 feet more or less;

(60) thence Northwesterly along said West right of way line of Oak Ridge Road 42 feet more or less;

(61) thence South along said West right of way line of Oak Ridge Road 29 feet more or less;

(62) thence West along said West right of way line of Oak Ridge Road 10 feet more or less;

(63) thence South along said West right of way line of Oak Ridge Road 480 feet more or less to a point in the North right of way line of 146th Street (the next 9 courses are along the North right of way line of 146th Street);

(1) thence Southwesterly 72 feet more or less;

(2) thence West 96 feet more or less;

(3) thence South 10 feet more or less;

(4) thence West 124 feet more or less;

(5) thence Westerly along a curve to the left 291 feet more or less;

(6) thence Southwesterly 321 feet more or less;

(7) thence Westerly along a curve (radius = 937.12 feet) to the right 327 feet more or less;

(8) thence West 933 feet more or less;

(9) thence continuing West 1756 feet more or less;

(10) thence South 22 feet more or less to a point (the next 9 courses continue along the North right of way line of 146th Street);

(1) thence West 1300 feet more or less to the West line of the Southwest Quarter of said Section 14 (near the intersection of 146th Street and Spring Mill Road);

(2) thence West 2652 feet more or less to the West line of the Southeast Quarter of said Section 15;

(3) thence West 2622 feet more or less to the West line of the Southwest Quarter of said Section 15 (near the intersection of 146th Street and Ditch Road);

(4) thence West 2712 feet more or less to the West line of the Southeast Quarter of said Section 16;

(5) thence West 2705 feet more or less to the West line of the Southwest Quarter of said Section 16 (near the intersection of 146th Street and Towne Road);

(6) thence West 2662 feet more or less to the West line of the Southeast Quarter of said Section 17;

(7) thence West 2634 feet more or less to the West line of the Southwest Quarter of said Section 16 (near the intersection of 146th Street and Shelborne Road);

(8) thence West 2769 feet more or less to the West line of the Southeast Quarter of said Section 18;

(9) thence West 2609 feet more or less to a line that is 10 feet East of and parallel with the East boundary of Hamilton Boone Road;

thence North along the line that is 10 feet East and parallel with the East boundary of said Hamilton Boone Road 2615 feet more or less to the North line of the Southwest Quarter of said Section 18;

thence East along the said North line and the extension thereof 2531 feet more or less to the center of Little Eagle Creek Avenue;

thence Northeasterly along the center of Little Eagle Creek Avenue with the meanderings thereof to a point of intersection with the Westerly extension of the South line of the Central Indiana Railroad parcel, said point being approximately 825 feet South of the center of State Road #32.

thence along said Westerly extension of the South line and the South line of said Railroad parcel, East 1578 feet more or less to the West right of way line of Eagletown Road;

thence North along said West right of way line 795 feet more or less to the South Right of Way line of State Road #32;

thence East along said South Right of Way line of State Road #32 a distance of 2697 feet more or less to the intersection of said Right of Way line and the centerline of Ditch Road;

thence continuing East along said South Right of Way line a distance of 2496 feet more or less to the intersection of said Right of Way line with the East line of the Northwest Quarter of said Section 3;

thence continuing East along said South Right of Way line a distance of 2617 feet more or less to the intersection of said South Right of Way line and the centerline of Spring Mill Road;

thence continuing East along said South Right of Way line a distance of 1387 feet more or less to the Point of Beginning, containing 7015 acres, more or less.

The entire width of the rights of way of Little Eagle Creek Avenue and State Road #32 that is contiguous with the above-described real estate.

Subject to all legal easements and rights of way of record.

Exhibit A - Southwest Washington Township Annexation Ordinance 05-09

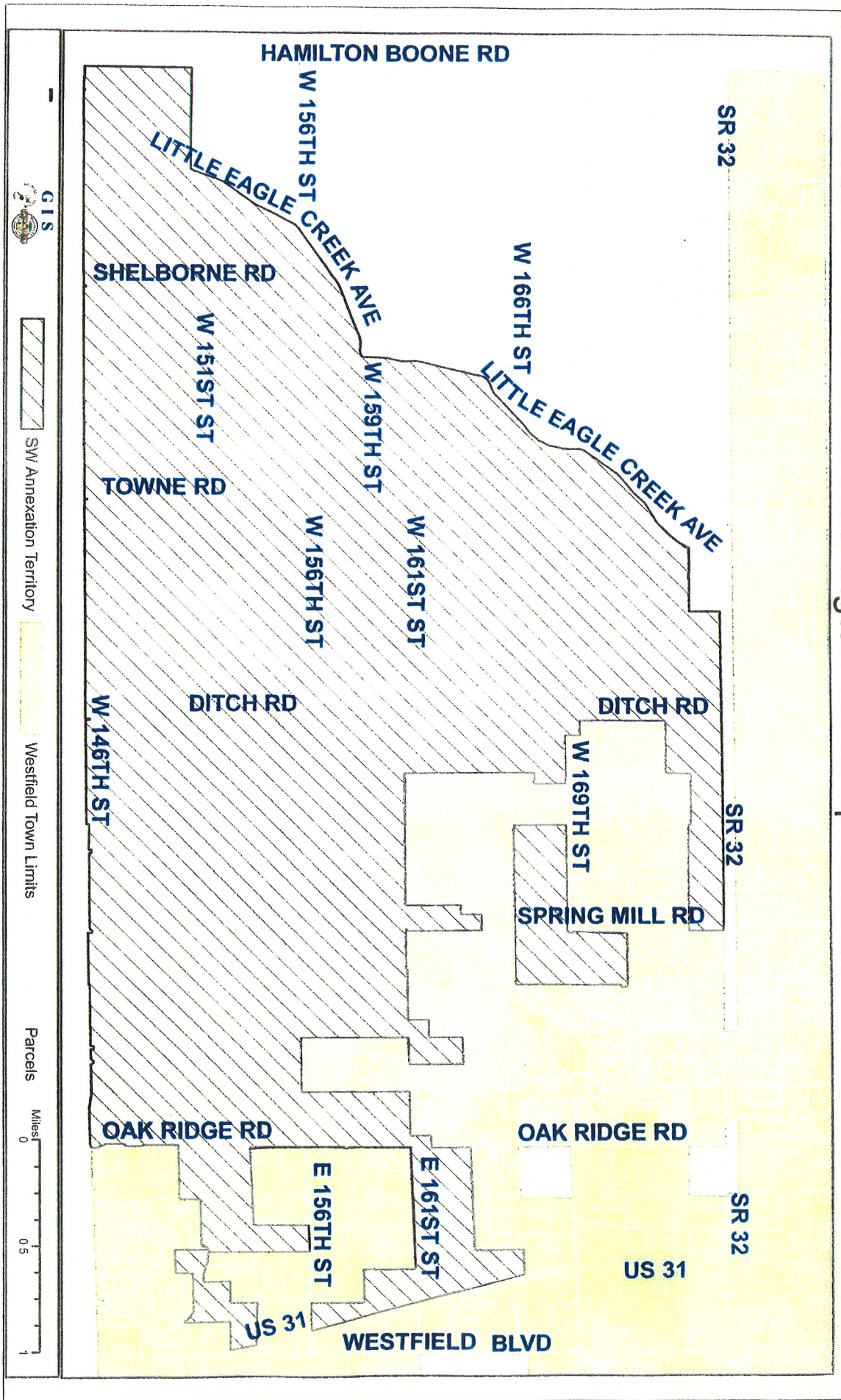


Exhibit B

Legal Description Maple Knoll Annexation Ordinance 04-11

**This legal description is removed from the
inclusive legal description in Exhibit A**



CONSULTING ENGINEERS
LAND SURVEYORS

9940 Allisonville Rd. • Fishers, IN 46038
(317) 849-5935 • 1-800-728-6917 • FAX: (317) 849-5942
DIR: 34676 X-FILE: 34676 SUB-FILE: ZONING-EXH

JOB ID 34676
CONTROL #

ANNEXATION DESCRIPTION NO. 1

A part of the Northwest Quarter of Section 2 and a part of Section 3 in Township 18 North, Range 3 East of the Second Principal Meridian in Washington Township, Hamilton County, Indiana, being more particularly described as follows:

Beginning at the Northwest corner of the Northwest Quarter of said Section 2; thence South along the West line of said Half Quarter Section to a point on the North right-of-way line of the former Central Indiana Railroad; thence West along said North right-of-way line to a point which lies 1,303.67 feet East and 777.88 feet South of the Northwest corner of the Northwest Quarter of said Section 3; thence South 599.91 feet to the Southeast corner of a parcel conveyed to Mariel Ackerson, recorded as Instrument No. 98-6642 in the Office of the Recorder of Hamilton County, Indiana; thence West along the South line of the Ackerson parcel to the West line of the Northwest Quarter of said Section 3; thence South along said West line to a point being 150 feet North of the Southwest corner thereof; thence East parallel with the South line of the Northwest Quarter of said Section 3 to a point on the East line of the West Half of said Northwest Quarter; thence South along said East line 150 feet to the Southwest corner of the Southeast Quarter of the Northwest Quarter of said Section 3; thence East along the South line of said Quarter, Quarter Section to the Southeast corner thereof; thence South along the West line of the Northwest Quarter of the Southeast Quarter of said Section 3 to the Southwest corner thereof; thence East along the South line of the North Half of the Southeast Quarter of said Section 3 to the Southeast corner thereof; thence North along the East line of said Half Quarter Section to the Northeast corner thereof; thence North along the West line of the Northwest Quarter of said Section 2 a distance of 9 1/2 rods; thence East parallel with the South line of said half Quarter Section to a point on the West line of Quail Ridge, Section Four, recorded as Instrument No. 9921162 in Plat Cabinet 2, Slide 246 in said Recorder's Office; thence North along said West line of said Quail Ridge, Section Four, Recorder's Office and the West line of Pine Ridge, Section Five, recorded as Instrument No. 9921163 in Plat Cabinet 2, Slide 247 in said Recorder's Office to the Northwest corner thereof; thence continuing North along the western limits of the Town of Westfield to the North line of the Northwest Quarter of said Section 2; thence West along said North line to the place of beginning, containing 359 acres, more or less.

This description was prepared for annexation purposes only, and is subject to change upon completion of an accurate boundary survey.

S/34676/Legals/Annexation1
February 6, 2004
Revised: March 8, 2004

ANNEXATION DESCRIPTION NO. 2

A part of Section 3 and a part of Section 10 in Township 18 North, Range 3 East of the Second Principal Meridian in Washington Township, Hamilton County, Indiana, being more particularly described as follows:

Beginning at a point on the West line of the Southwest Quarter of the Northwest Quarter of said Section 3, a distance of 150 feet North of the Southwest corner thereof; thence South along said West line 150 feet to the Southwest corner of said Quarter Section, said point also being the Northwest corner of the North Half of the Southwest Quarter of said Section 3; thence South along the West line of said Half Quarter Section to a point being 365 feet North of the Southwest corner of said Half Quarter Section; thence East parallel with the South line of said Half Quarter Section 365 feet; thence South parallel with the West line of said Half Quarter Section 365 feet to a point on the South line thereof; thence East along the South line of said Half Quarter Section to the Northwest corner of the Southeast Quarter of the Southwest Quarter of said Section 3; thence East along the North line of said Quarter, Quarter Section 275.18 feet; thence South parallel with the West line of said Quarter, Quarter Section 791.60 feet; thence West parallel with the North line of said Quarter, Quarter Section 275.18 feet to the West line of said Quarter, Quarter Section; thence South along said West line to the Northwest corner of the East Half of the Northwest Quarter of said Section 10; thence South along the West line of said Half Quarter Section to the Southwest corner of said Half Quarter Section; thence East along the South line of said Half Quarter Section to the Southeast corner of said Half Quarter Section; thence East along the South line of the South Half of the Northeast Quarter of said Section 10 to the East line of the West 60 acres off said Half Quarter Section; thence North along said East line to the North line of said Half Quarter Section; thence West along said North line to the Southeast corner of the West Half of the Northwest Quarter of the Northeast Quarter of said Section 10; thence North along the East line of said Half Quarter, Quarter Section to the Northeast corner thereof; thence West along the North line of said Half Quarter, Quarter Section to the Northwest corner thereof; thence North along the East line of the Southwest Quarter of said Section 3 to the Northeast corner thereof; thence West along the North line of the Northeast Quarter of the Southwest Quarter of said Section 3 to the Northwest corner thereof; thence North along the East line of the Southwest Quarter of the Northwest Quarter of said Section 3 a distance of 150 feet; thence West parallel with the South line of said Quarter, Quarter Section to the place of beginning, containing 277 acres, more or less.

This description was prepared for annexation purposes only, and is subject to change upon completion of an accurate boundary survey.

S/34676/Legals/AnnexationDesc2
February 6, 2004
Revised: March 8, 2004

**Hamilton County Surveyor's Office**

One Hamilton County Square, Suite 188

Noblesville, Indiana 46060

Office: (317) 776-8495 Fax: (317) 776-9628

To: Westfield Community Development
130 Penn St
Westfield, In 46074
(317) 896-5577

July 1, 2005

From: Darren M. Wilson, GIS Specialist
Hamilton County Surveyor's Office
One Hamilton County Square, Suite 188
Noblesville, IN 46060 (317) 776-8495

Subject: *Westfield-04-11*

The preceeding annexation has been received by this office to be entered into the county's GIS. Please review this letter and the attached maps for any discrepancies and please advise.

Notes:

1. Centerline annexation on SR32 corrected by Affidavit of Correction - Instr #200500037711.
2. Senate Bill 0512 retroactively (Jan. 1, 2004) allows Towns to annex within 3 miles of Cities without permission.
3. Maple Knoll Section 2A is included within this annexation.

Parcel(s) Involved:**Subdivision:****Blk:****Lot:**

08-09-02-00-00-001.000
08-09-02-00-00-001.001
08-09-03-00-00-002.000
08-09-03-00-00-012.111
08-09-03-00-00-012.201
08-09-03-00-00-012.211
08-09-03-00-00-012.301
08-09-03-00-00-013.000
08-09-03-00-00-014.000
08-09-03-00-00-015.000
08-09-03-00-00-016.000
08-09-03-00-00-017.000
08-09-03-00-00-020.000
08-09-03-00-00-023.000
08-09-03-00-00-023.002
08-09-03-00-00-025.001
08-09-10-00-00-002.000
08-09-10-00-00-003.000
08-09-10-00-00-003.001
08-09-10-00-00-003.101
08-09-10-00-00-004.000



Hamilton County Surveyor's Office

One Hamilton County Square, Suite 188

Noblesville, Indiana 46060

Office: (317) 776-8495 Fax: (317) 776-9628

Parcel(s) Involved:

08-09-10-00-00-005.001

08-09-03-00-00-025.000

Subdivision:

Blk:

Lot:

Darren M. Wilson *DW*

04-11

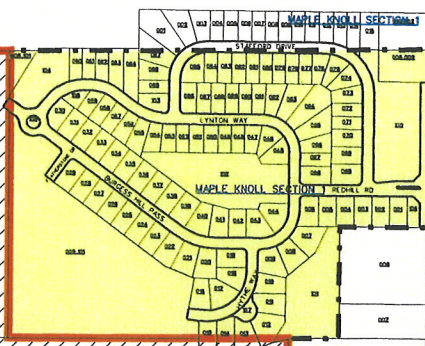


Exhibit C

Legal Description Viking Meadows Phase II Ordinance 05-15

**This legal description is removed from the
inclusive legal description in Exhibit A**

**DESCRIPTION OF REAL ESTATE WEST OF
THE MONON RAILROAD FOR ANNEXATION**

A part of the Southwest Quarter of Section 12 and a part of the Northwest Quarter of Section 13, all in Township 18 North, Range 3 East, Hamilton County, Indiana, being more particularly described as follows:

Beginning at the northwest corner of the Southwest Quarter of Section 12, Township 18 North, Range 3 East, Hamilton County, Indiana; thence North 87 degrees 45 minutes 58 seconds East (assumed bearing) on the north line of said Southwest Quarter 2554.07 feet to a point on the west right-of-way line of the Monon Railroad; thence South 00 degrees 09 minutes 41 seconds East on said west right-of-way line 2611.46 feet to a point on the south line of said Southwest Quarter; thence South 87 degrees 16 minutes 25 seconds West on said south line 605.74 feet to a point which is on the easternmost line of the real estate described in Instrument No. 97-45676 (Exhibit D) in the Office of the Recorder of Hamilton County, Indiana; thence South 00 degrees 02 minutes 41 seconds East on the east line of said real estate 1323.73 feet to a point on the south line of the North Half of the Northwest Quarter of Section 13, Township 18 North, Range 3 East; thence South 87 degrees 36 minutes 09 seconds West on said south line 1917.12 feet to the southeast corner of the real estate described in Instrument No. 2001-22530; thence the following five calls on the perimeter of said real estate: 1.) North 00 degrees 02 minutes 27 seconds West 24.96 feet; 2.) North 15 degrees 12 minutes 51 seconds East 57.01 feet; 3.) North 11 degrees 48 minutes 33 seconds West 122.58 feet; 4.) North 00 degrees 02 minutes 27 seconds West 90.00 feet; 5.) South 89 degrees 57 minutes 33 seconds West 24.11 feet to a point on the west line of said Northwest Quarter; thence North 00 degrees 05 minutes 26 seconds West on said west line 1021.12 feet to the northwest corner of said Northwest Quarter of Section 13; thence North 00 degrees 05 minutes 20 seconds West on the west line of said Southwest Quarter 837.03 feet to a corner of the real estate described in Instrument No. 2001-22531 in the Office of the Recorder of Hamilton County, Indiana; thence the following nine calls on the perimeter of said real estate: 1.) North 89 degrees 55 minutes 23 seconds East 17.78 feet; 2.) North 09 degrees 00 minutes 01 seconds East 45.57 feet; 3.) North 00 degrees 04 minutes 37 seconds West 95.00 feet; 4.) North 33 degrees 56 minutes 33 seconds East 48.26 feet; 5.) North 00 degrees 04 minutes 37 seconds West 25.00 feet; 6.) North 23 degrees 49 minutes 35 seconds West 54.63 feet; 7.) North 00 degrees 04 minutes 37 seconds West 90.00 feet; 8.) North 15 degrees 30 minutes 37 seconds West 46.68 feet; 9.) South 89 degrees 55 minutes 23 seconds West 17.63 feet to a point on the west line of said Southwest Quarter; thence North 00 degrees 05 minutes 20 seconds West on said west line 1406.55 feet to the Point of Beginning, containing 212.27 acres, more or less.

Subject to all easements, restrictions, and rights-of-way of record.

**DESCRIPTION OF MONON RAILROAD FROM 156th STREET
TO 161st STREET FOR ANNEXATION**

A part of the South Half of Section 12, Township 18 North, Range 3 East, Hamilton County, Indiana, being more particularly described as follows:

Beginning at the southwest corner of the Southeast Quarter of Section 12, Township 18 North, Range 3 East, Hamilton County, Indiana; thence North 88 degrees 22 minutes 33 seconds East (assumed bearing) on the south line of said Southeast Quarter 33.01 feet to a point on the east right-of-way line of the Monon Railroad; thence North 00 degrees 09 minutes 41 seconds West on said east right-of-way line 2611.80 feet to a point on the north line of said Southeast Quarter; thence South 87 degrees 26 minutes 20 seconds West on said north line 46.76 feet to the northwest corner of said Southeast Quarter; thence South 87 degrees 45 minutes 58 seconds West on the north line of the Southwest Quarter of said Section 12 a distance of 19.29 feet to the west right-of-way line of said Monon Railroad; thence South 00 degrees 09 minutes 41 seconds East on said west right-of-way line 2611.46 feet to the south line of said Southwest Quarter; thence North 87 degrees 16 minutes 25 seconds East on said south line 33.03 feet to the Point of Beginning, containing 3.96 acres, more or less.

Subject to all easements, restrictions, and rights-of-way of record.

W030049-d3.doc
September 27, 2004

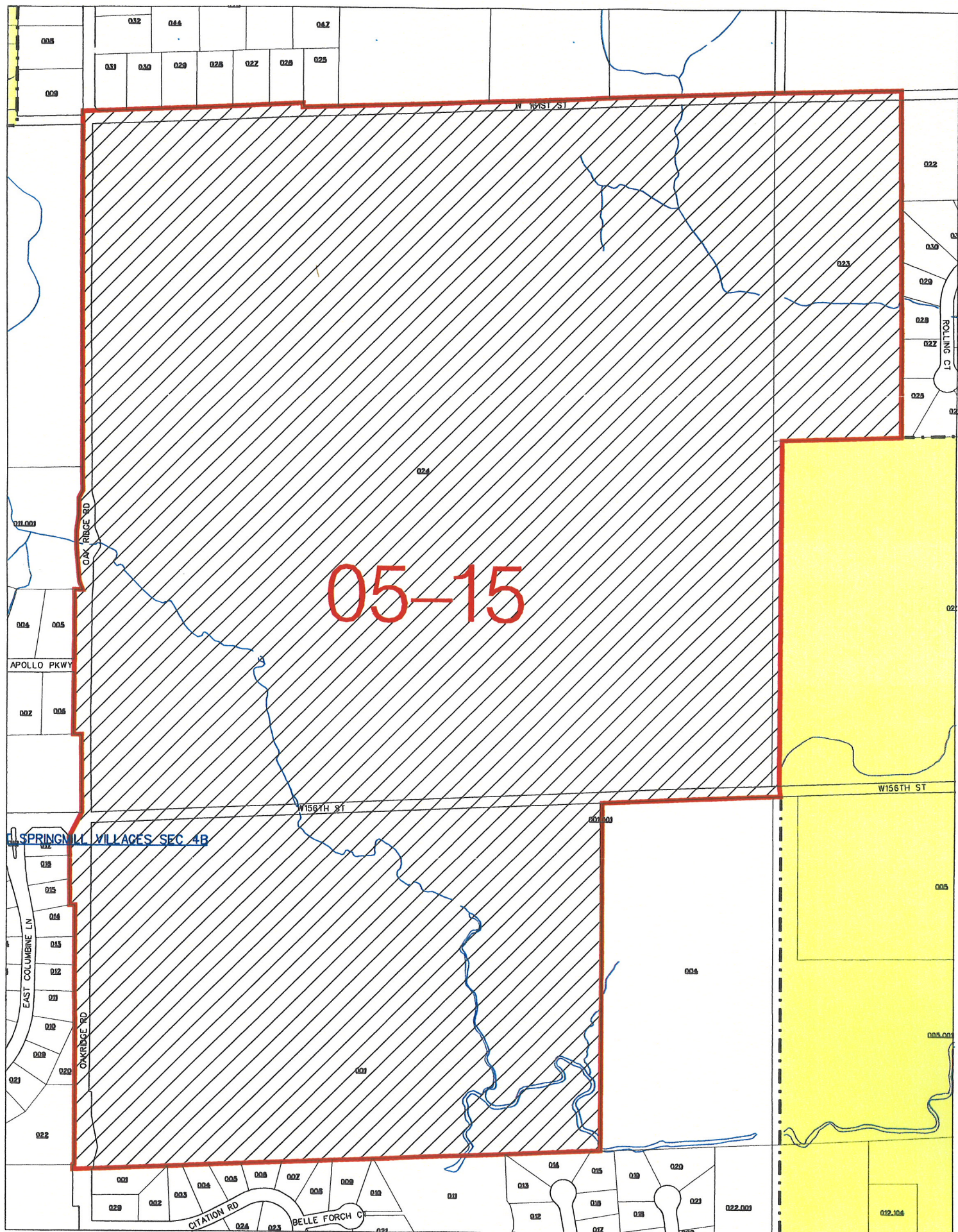
**DESCRIPTION OF A PORTION OF VIKING MEADOWS REAL ESTATE
EAST OF MONON RAILROAD, SOUTH OF 161st STREET**

A part of the Southeast Quarter of Section 12, Township 18 North, Range 3 East, Hamilton County, Indiana, being more particularly described as follows:

Commencing at the northwest corner of the Southeast Quarter of Section 12, Township 18 North, Range 3 East, Hamilton County, Indiana; thence North 87 degrees 26 minutes 20 seconds East (assumed bearing) on the north line of said Southeast Quarter 46.76 feet to a point on the east right-of-way line of the Monon Railroad, said point also being the Point of Beginning of the herein described real estate; thence continuing North 87 degrees 26 minutes 20 seconds East on said north line 448.24 feet to a point on the east line of the real estate described in Instrument No. 97-45676 (Exhibit C) in the Office of the Recorder of Hamilton County, Indiana; thence South 00 degrees 27 minutes 45 seconds East on said east line 1309.40 feet to a point on the south line of the Northwest Quarter of said Southeast Quarter; thence South 87 degrees 54 minutes 25 seconds West on said south line 454.99 feet to a point on said east right-of-way line of said Monon Railroad; thence North 00 degrees 09 minutes 41 seconds West on said line 1305.95 feet to the Point of Beginning, containing 13.55 acres, more or less.

Subject to all easements, restrictions, and rights-of-way of record.

December 15, 2004
W030049d4.doc



**Hamilton County Surveyor's Office**

One Hamilton County Square, Suite 188

Noblesville, Indiana 46060

Office: (317) 776-8495 Fax: (317) 776-9628

To: Westfield Community Development
130 Penn St
Westfield, In 46074
(317) 896-5577

July 1, 2005

From: Darren M. Wilson, GIS Specialist
Hamilton County Surveyor's Office
One Hamilton County Square, Suite 188
Noblesville, IN 46060 (317) 776-8495

Subject: *Westfield-05-15*

The preceeding annexation has been received by this office to be entered into the county's GIS.
Please review this letter and the attached maps for any discrepancies and please advise.

This ordinance only annexes that portion of parcel 08-09-12-00-00-021.000 that was deeded
back from the Monon Railroad R/W.

Parcel(s) Involved:**Subdivision:****Blk: Lot:**

08-09-12-00-00-021.000

08-09-12-00-00-023.000

08-09-12-00-00-024.000

08-09-13-00-00-001.000

08-09-13-00-00-001.001

A handwritten signature in cursive script that reads "Darren M. Wilson".

Darren M. Wilson